

## Agricultural Marketing Service, USDA

## § 160.201

and shall give such person an opportunity to show in duplicate to the Administrator within 20 days after the receipt of such notice why the alleged violation should not be reported to the Department of Justice. The person so notified may within the period stated apply for an opportunity to present his views in person, or by his attorney. If the Administrator deems the request appropriate he will designate a time and place for hearing the applicant.

### § 160.96 Report of violations for prosecution.

In the event of failure of the person notified of an apparent violation of the act to submit to the Administrator a written answer as provided in § 160.95, or if, after such person has filed his answer or in addition, been given an opportunity to present his views orally, no sufficient reason has been shown why the alleged violation should not be reported for prosecution, the General Counsel of the Department, acting for and on behalf of the Administrator, shall report the alleged violation to the Department of Justice for appropriate action.

### § 160.97 Publication.

Composite data regarding inspections, analyses, classifications, and grading of naval stores made under any provision of the act or the provisions in this part may be published from time to time in such mediums as the Administrator may designate for the purpose.

#### SPECIFIC FEES PAYABLE FOR SERVICES RENDERED

### § 160.201 Fees generally for field inspection and certification of naval stores and drum containers of rosin.

Except as provided in § 160.204, the following fees shall be paid to the United States for the field inspection and certification of naval stores and drum containers of rosin, not conducted under a cooperative agreement and where laboratory analysis or testing is not required:

(a) *Inspections by licensed inspectors at eligible processing plants.* (1) Rosin (grading and incidental certification as to class, condition and weight).

(i) In drums (see Note 1) per drum—\$1.24.

(ii) In 100 pound bags (see Note 1) per bag—\$.23.

(iii) In tank cars, per car—\$67.50.

(iv) In tank trucks, per truck—\$34.00.

(2) Turpentine (Grading and incidental certification as to class, condition and volume).

(i) In 55 gallon drums, per drum—\$2.25.

(ii) In tank cars or trucks, per unit of 100 gallons—\$1.41.

(iii) In bulk for delivery to tank steamer, per unit of 100 gallons—\$2.25.

(b) Inspections by regularly employed, salaried Federal inspectors.

(1) Rosin.

(i) Grading and weighing at concentration and storage yards, per drum—\$4.05.

(ii) Irregular inspection and grading at distillation or processing plants, up to 400 drums, per drum—\$3.60; all over 400 drums, per drum—\$2.25.

(iii) Weighing at concentration and storage yards, subsequent to grading, per drum—\$2.25.

(iv) Examination of the external or internal appearance and condition of filled rosin drums, and of the rosin contained therein—See Note 2 and § 160.204.

(v) Re-certification under L.S. Certificate of rosin moving in commerce, per drum—\$.23.

(2) Turpentine (inspection and certification as to kind, condition, volume, etc.).

(i) In drums of 55 gallons, per drum—\$3.38.

(ii) In tank cars or trucks, per unit of 100 gallons—\$2.81.

(iii) For bulk delivery to tank steamer, per unit of 100 gallons—\$2.25.

NOTE 1: When the number of drums and bags inspected and certified at any plant during any calendar month is equivalent to a total of 2,400 or more drums (counting five bags as equivalent to one drum), the fee shall be computed at the rate of \$1.01 per drum and \$.18 per bag certified. For quantities less than the equivalent of 2,400 drums, the fee shall be computed at the prescribed rate of \$1.24 per drum and \$.23 per bag.

NOTE 2: The inspection or related examination of containers of rosin and their contents under Section B(1)(iv) shall be performed only after the inspector or the Chief of the Marketing Programs Branch has been advised regarding the location, nature, scope, and purpose of the service desired, and the